IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of: MAY ET AL.)	
)	Examiner: S. RAMPURIA
Serial No. 10/790,479)	
)	Art Unit: 2617
Confirmation No. 9515)	
)	Attorney Docket No.
Filing Date: MARCH 1, 2004)	85002
)	
For: COMMUNICATIONS SYSTEM PROVIDING	3)	
AUTOMATIC TEXT-TO-SPEECH)	
CONVERSION FEATURES AND RELATED))	
METHODS)	
	_)	

DECLARATION UNDER 37 CFR §1.131

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

We, Darrell Reginald May and Alain R. Gagne, hereby declare that:

- We are the joint inventors for the aboveidentified patent application (the "present application").
- 2. We conceived the invention recited in the claims of the present application prior to January 26, 2004, and due diligence was exercised from a time prior to January 26, 2004 to the filing of the present application, as demonstrated by the following:

In re Patent Application of:

MAY ET AL.

Serial No. 10/790,479

Filing Date: MARCH 1, 2004

a) prior to January 26, 2004, we had communicated all of the details of the invention to John F. Woodson, II, a patent attorney with the law firm of Allen, Dyer, Doppelt, Milbrath & Gilchrist, P.A. ("Allen Dyer"), patent counsel for Assignee Research In Motion Limited ("RIM");

- b) on information and belief, Attorney Woodson began preparing a draft of the present application prior to January 26, 2004;
- c) the completed draft patent application (bearing attorney docket number 85002) was forwarded to Darrell May's attention for distribution and review by each of us on February 2, 2004, as shown in attached Exhibit 1;
- d) Attorney Woodson sent a reminder inquiring as to any comments we might have had on the draft application on February 18, 2004, and Darrell May responded to Attorney Woodson on the same day that the draft application was complete and accurate as written and ready for filing without change, as shown in attached Exhibit 2 (attached hereto);

In re Patent Application of:

MAY ET AL.

Serial No. 10/790,479

Filing Date: MARCH 1, 2004

e) Christopher F. Regan, another patent attorney with Allen Dyer, forwarded drafts of the Declaration and Assignment documents to be submitted in this application to us on February 20, 2004 for our review and signature in view of the final draft of the patent application (which was the same as the original draft forwarded to us on February 2, 2004, since no changes to the draft were made), as shown in attached Exhibit 3;

- f) Attorney Regan also forwarded Powers of Attorney documents to us for execution on February 25, 2004, as shown in attached Exhibit 4;
- g) Executed copies of the Declaration, Power of Attorney and Assignment documents were faxed to Attorney Regan on February 25, 2004 and February 26, 2004, as shown in attached Exhibit 5; and
- h) upon receipt of formal filing authorization from RIM's Intellectual Property Department, Attorney Regan filed the present application on March 1, 2004, as shown by the USPTO Filing Receipt mailed May 21, 2004, which is attached hereto Exhibit 6.

In re Patent Application of:

MAY ET AL.

Serial No. 10/790,479

Filing Date: MARCH 1, 2004

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Darrell Reginald May

In re Patent Application of: MAY ET AL.

Serial No. 10/790,479 Filing Date: MARCH 1, 2004

Alain R. Gagne

(Attorney Woodson's email of February 2, 2004 to Darrell May attaching draft patent application)

John Woodson

From:

Darrell May [dmay@rim.net]

Sent:

Tuesday, February 03, 2004 9:52 AM

To:

iwoodson@addmg.com

Cc:

Robert Liang

OC. ROBOR ERRIN

Subject: RE: RIM Ref. No. ID-399 (Our File Nos. 80211 and 85002)

Thanks John,

I'll review as soon as I get the password.

Darrell.

----Original Message----

From: John F. Woodson II [mailto:jwoodson@addmg.com]

Sent: February 2, 2004 6:31 PM

To: Darrell May Cc: Robert Liang

Subject: RIM Ref. No. ID-399 (Our File Nos. 80211 and 85002)

Dear Darrell:

Attached for yours and your co-inventor's review and comments are initial draft patent applications directed to the above-identified invention in .zip format. Please note that the invention has been divided into two separate applications based upon our recent instructions from RIM's IP department. The first application (our file no. 80211) is directed to the feature of selecting audio filter parameters from the handheld device, while the second application (our file no. 85002) is directed to the automatic audio mode feature. By copy of this email, we ask that Robert Liang provide us with a new RIM ID number for the second application at his convenience.

Please note that the attached .zip file is password protected. Also, the drawings and several portions of the applications are common to both. For your convenience, the common portions are not reproduced in the second application. We will forward you the password to open the attachment in a separate email.

It is essential that the patent applications, as filed, be technically accurate and complete, and that the applications set forth the best mode for carrying out the invention, since new matter may not be added to the descriptive portion after filing. We therefore ask that you carefully review the drafts for technical accuracy and completeness, and advise us of any suggested changes or corrections. Your changes and suggestions will be carefully considered in the preparation of the final drafts, which will be presented to you for your review and execution prior to filing.

We would also like to point out that the inventor is required to make a Declaration when the application is filed in the U.S. Patent and Trademark Office, acknowledging a duty to disclose information of which he is aware and which may be considered to be material to the examination of the application. Such information may possibly include devices, products, publications, etc. which are similar to the invention and which were publicly known before the invention, and it

may also include any public disclosure, commercial use, or offer of sale of the invention more than one year prior to the filing date of your application.

If you are aware of any such information, it is vitally important that it be brought to our attention. We can then make a determination as to whether the information should be brought to the attention of the Patent and Trademark Office under the applicable rules.

We would also like to confirm that the inventorship information we have for the applications is correct. Currently, we have yourself and Alain Gagne listed as co-inventors. In the U.S., an inventor is defined as one who contributes (either independently or jointly) to the conception of the subject matter of any one of the claims in a patent application. Everyone who meets this definition MUST be listed as an inventor on the application. Conversely, anyone who does not meet this definition CANNOT be listed as an inventor. Accordingly, please keep this in mind as you review the claims of the applications, and let us know if you believe that any changes in inventorship might be required so that we can discuss this with you.

If you should have any questions regarding the information outlined above, please feel free to discuss them with us. We look forward to receiving your comments on the application.

Best regards.

John F. Woodson, II Allen, Dyer, Doppelt, Milbrath & Gilchrist, P.A. 255 South Orange Avenue, Suite 1401 P.O. Box 3791 Orlando, Florida 32802-3791 TEL (407) 841-2330 FAX (407) 841-2343

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(Attorney Woodson's email communication of February 18, 2004 with inventor Darrell May)

Reply-To: <iwoodson@addmg.com>

Subject: FW: RIM Ref. No. ID-399 (Our File Nos. 80211 and 85002)

Date: Wed, 18 Feb 2004 10:17:00 -0500

X-Mailer: Microsoft Outlook CWS, Build 9.0.6604 (9.0.2911.0)

importance: Normal

X-MS-TNEF-Correlator: 0000000097265D26628BE949821F06EB8A3942BA64470301

FYI

----Original Message----

From: Darrell May [mailto:dmay@rim.net]

Sent: Wednesday, February 18, 2004 10:06 AM

To: John Woodson Cc: Robert Liang

Subject: RE: RIM Ref. No. ID-399 (Our File Nos. 80211 and 85002)

Hi John,

I have read through it all, and it all looks very good. Exactly how I envisioned it.

Let me know if you need anything else.

Darrell

----Original Message----

From: John Woodson [mailto:jwoodson@addmg.com]

Sent: February 18, 2004 10:22 AM

To: Darrell May Cc: Robert Liang

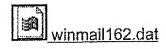
Subject: RIM Ref. No. ID-399 (Our File Nos. 80211 and 85002)

Dear Darrell:

We are just checking to see if you have had an opportunity to review the above-noted patent application drafts. Please note that RIM has instructed us that these applications are to be filed no later than the end of February. Accordingly, please provide your comments to us as soon as possible. Thanks again for your assistance.

Best regards.

John F. Woodson, II Allen, Dyer, Doppelt, Milbrath & Gilchrist, P.A. 255 South Orange Avenue, Suite 1401 P.O. Box 3791 Orlando, Florida 32802-3791 TEL (407) 841-2330 FAX (407) 841-2343 NOTE: The information in this message is intended for the personal and confidential use of the designated recipient(s) named above. This message may be an attorney-client communication and, as such, is privileged. If the reader of this message is not the intended recipient named above, you are notified that you have received this document in error, and any review, dissemination, distribution or copying of this message is strictly prohibited. If you have received this document in error, please delete the original message and notify the sender immediately. Thank you.



(Attorney Regan's email of February 20, 2004 to inventors Darrell May and Alain Gagne attaching Declaration and Assignment documents for execution) To: dmay@rim.net
Subject: Split Application of RIM Ref. No. ID-399; Our File No. 85002
Cc: agagne@rim.net, rliang@rim.net
Bcc: cregan@addmg.com, barbara Goree <bgoree@addmg.com>
X-Attachments: S:\AIMDocs\RIM\0085002\Declaration.pdf; S:\AIMDocs\RIM\0085002\CP6094.DOC;

Darrell,

Enclosed are the Declaration and Assignment documents for your review. The final draft of the patent application and the password were previously provided to you by my colleague, John F. Woodson, on February 2, 2004. Please sign and date both documents and return the entire documents to us via facsimile number 407-841-2343. By copy of this email, I am also requesting that Alain Gagne sign the Declaration and Assignment documents. Please also return the original to us via regular U.S. mail.

We will file the application with the U.S. Patent and Trademark Office immediately upon receipt of the executed Declaration and Assignment documents.

Regards, Chris Regan Allen, Dyer, Doppelt, Milbrath & Gilchrist, P.A. 255 South Orange Avenue, Suite 1401 P.O. Box 3791 Orlando, Florida 32802-3791 (407) 841-2330 ext. 185 (407) 841-2343 fax

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0/00/0004

(Attorney Regan's email of February 25, 2004 to inventors Darrell May and Alain Gagne attaching Powers of Attorney documents for execution) To: dmay@rim.net

Subject: RIM Ref. No. ID-399; Our File Nos. 80211 and 85002

Cc: agagne@rim.net

Bcc: cregan@addmg.com, barbara Goree <bgoree@addmg.com>

X-Attachments: S:\AIMDocs\RIM\0080211\inventor Power of Attorney_gagne.pdf; S:\AIMDocs\RIM\0080211\inventor Power of Attorney_may.pdf; S:\AIMDocs\RIM\0085002\inventor Power of Attorney_gagne.pdf; S:\AIMDocs\RIM\0085002\inventor Power of Attorney_may.pdf; S:\AIMDocs\RIM\0080211\CQ1827.DOC;

Darrell,

In compliance with RIMs updated procedures, please find attached Power of Attorney documents for execution for the above referenced patent applications. By copy of this email, I am also requesting that inventor Alain Gagne sign the Power of Attorney documents. For your convenience we have attached a facsimile cover sheet. As a reminder, RIM has requested that all applications be filed by February 27, 2004. Accordingly, please return the executed Declaration, Assignment (previously sent to you via email on February 24, 2004) and Power of Attorney documents so we may proceed with filing the above referenced applications.

Regards, Chris Regan

Allen, Dyer, Doppelt, Milbrath & Gilchrist, P.A. 255 South Orange Avenue, Suite 1401 P.O. Box 3791 Orlando, Florida 32802-3791 (407) 841-2330 telephone (407) 841-2343 fax

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(Telefacsimile copies of February 25, 2004 and February 26, 2004 of executed Declaration, Power of Attorney and Assignment documents)

PTC/SB/01 (08-03)

Approved for use through 07/31/2008, OMB 0851-0032

U.S. Pelant and Trademark Office; U.S. DEPARTMENT UP COMMERCE

Under the Perparwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Attorney Dockel Number

85002

	SIGN	First Named Inventor	Darrell Reginoid MAY
	PPLICATION	COL	APLETE IF KNOWN
	FR 1.63)	Application Number	ANT VET A SCHALED
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Filing	(37 ČĚR 1.18 (e)) regulred)	Examiner Name	
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I believe the inventor(s) name which a patent is sought on the	d below to be the original and fi ie invention entitled:	rst invenior(s) of the subjec	t matter which is claimed and for
COMMUNICATIONS	SYSTEM PROVIDING	AUTOMATIC TEXT-	TO-SPEECH
CONVERSION-FEAT	URES-AND-RELATED!	METHODS	
15 4 F. 14 L	(Title of t	he Invention)	
the specification of Which			
is attached hereto			
OR		and the same of th	
. was filed on (MM/DD/Y	777	as United States Ap	olication Number or PCT International
Application Number	and was amen	ded on (MM/DD/YYYY)	(If applicable).
I hereby state that I have revie	owed and understand the conter	its of the above identified s	pecification, including the claims, as
amended by any amendment	specifically referred to above.		
I acknowledge the duty to di	aclose information which is ma	aterial to patentability as d	efined in 37 CFR 1.56, including for
continuation-in-part application	ns, material information which i ational filing date of the continu	ecame avallable between	the filing date of the prior application
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[Pegs 1 of 2]
This collection of information is required by 35 U.S.C. 115 and 37 GFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application, confidentially is governed by 35 U.S.C. 122 and 37 GFR 1.14. This collection is definated to take 21 minutes to complete, including gathering, preparing, and estimiting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of sine you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief information Officer. U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in complaining the form, cell 1-800-PTO-9198 and select option 2. (Pege 1 of 2)

PTO/SBR01 (06-03)
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DECLARATION — Utility or Design Patent Application

Direct all correspondence to:	✓ Custome	r Number:	2	7975		OR	Corres	pondence add	ress below
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NAME OF SOLE OR FIRST IN			-					ned inventor	
Given Name (first and middle [if any]) Regina					FE	mily Nam Sumame	B MAY		
Inventor's Signature Dance	an	2						Teb 23	'd 2004
Residence: City	State Ontario			Coun Canad			Cillze Canadi		17 00 00 10 10 1
Mailing Address 453 Lake Louise Blvd								# . 1 Th	.•
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Inventor's Signature	ے کے کے) inju	£O				- 1 011		4/04.
Residence: City	State			Coun	•		Citize Canad	•	
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Mailing Address 88 Holbrook Cr.							······································	<u> </u>	
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Additional inventors or a logal re	presentalive are be	ing named on I	ihe t	upplome	nlai shee	t(s) PTO/SB/	02A or 02LR	attached hereto.	

PTC/SB/81 (09-03)

Approved for use through 11/30/2005, DM9 0851-0035

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85002

Under the Paperwork Reduction Act of 1990, no pursuits are real	Application Number	NOT YET ASSIGNED
POWER OF ATTORNEY	Filing Date	HEREWITH
-	First Named Inventor	Danel) Reginald MAY
and	Title	COMMUNICATIONS SYSTEM
CORRESPONDENCE ADDRESS	Art Unit	
INDICATION FORM	Examiner Name	

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Name	Darrell Reginald MA	Υ				
Signature	Down	0,226				
Date	F- 6 25	TN 17004			Telephone	519 746 3352
NOTE: Signal	tures of all the inventors than one signature is ro	or eseignees of record of the entire	Interest or thek	representative	s(s) are required. Subt	nii multiple
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This collection of information is required by 37 CFR 1,31 and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentially is governed by 35 U.S.C. 12Z and 37 CFR 1.14. This collection is estimated to take 3 minutes to complete, including patheting, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademerk Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Applicant(s) .

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Assignment For Published Patent Application

Research In Motion Limited, Waterloo, CANADA;

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